

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, March 13, 2013, at Suite 104 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Presiding over the meeting was Secretary Patricia Heim. Attending the meeting were board members Norma Lester, Darlene McNeece and Justin Pitt.

Approval of Meeting Minutes

On motion by Lester, seconded by Heim, the board voted unanimously to amend the minutes from the January 9, 2013 regular board meeting to accurately reflect the number of days filed late in the matters of McCall PAC. The motion to approve the minutes, as amended, for the January 9, 2013 meeting passed the board unanimously.

Statements Submitted

13-22 Joe Towns, Jr., for failure to timely file a 2012 3rd quarter campaign financial disclosure report. Class one (1), 22 days late, maximum five hundred fifty (\$550) civil penalty. Rep. Towns has had previous matters before the board.

The board voted at its January 9, 2013 meeting to issue Rep. Towns a show cause notice.

Rep. Towns submitted a statement for the board's consideration.

A motion was made by McNeece to take no further action in this matter. McNeece then withdrew the motion. A motion was made by Pitt, seconded by McNeece, to assess Rep. Towns a \$100 civil penalty. The motion to assess Rep. Town's a \$100 civil penalty passed the board unanimously.

13-10 Chattanooga Firefighters Assn PAC, for failure to timely file a 2012 3rd quarter campaign financial disclosure report. Class one (1), eight days late, maximum two hundred (\$200) civil penalty. The organization has had a previous matter before the board. (see below)

The board voted at its January 9, 2013 meeting to issue the organization a show cause notice.

Tim Bryant, treasurer for the organization, submitted a sworn statement for the board's consideration.

On motion by Pitt, seconded by McNeece, the board voted unanimously to take no further action in this matter.

13-11 Chattanooga Firefighters Assn PAC, for failure to timely file a 2012 pre-general campaign financial disclosure report. Class one (1), eight days late, maximum two hundred (\$200) civil penalty. The organization has had a previous matter before the board. (see above)

The board voted at its January 9, 2013 meeting to issue the organization a show cause notice.

Tim Bryant, treasurer for the organization, submitted a sworn statement for the board's consideration.

On motion by Pitt, seconded by McNeece, the board voted unanimously to take no further action in this matter.

13-09 Common Sense PAC, for failure to timely file a 2012 pre-general campaign financial disclosure report. Class one (1), 16 days late, maximum four hundred (\$400) civil penalty. The organization has had no previous matters before the board.

The board voted at its January 9, 2013 meeting to issue the organization a show cause notice.

Justin Meeks, treasurer for the organization, submitted a sworn statement for the board's consideration.

On motion by Lester, seconded by Pitt, the board voted unanimously to take no further action in this matter.

13-12 Iron Workers LU 492 PAC, for failure to timely file a 2012 3rd quarter campaign financial disclosure report. Class one (1), 19 days late, maximum four hundred seventy-five (\$475) civil penalty. The organization has had previous matters before the board.

The board voted at its January 9, 2013 meeting to issue the organization a show cause notice.

Glen Sloan, treasurer for the organization, submitted statements for the board's consideration.

On motion by McNeece, seconded by Lester, the board voted unanimously to assess the organization a \$50 civil penalty.

13-08 White County Democratic Party, for failure to file a 2012 pre-general campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had no previous matters before the board.

The board voted at its January 9, 2013 meeting to issue the organization a show cause notice.

Kriste L. Dibrell, treasurer for the organization, submitted statements for the board's consideration.

On motion by Pitt, seconded by McNeece, the board voted unanimously to take no further action in this matter.

Cases Subject to Approval of Civil Penalty Order

13-15 Michael Clark, for failure to file a 2012 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Clark has had a previous matter before the board. (see below)

The board voted at its January 9, 2013 meeting to issue Mr. Clark a show cause notice.

Mr. Clark filed the required report and submitted a sworn statement for the board's consideration.

On motion by Pitt, seconded by McNeece, the board voted unanimously to take no further action in this matter.

13-16 Michael Clark, for failure to file a 2012 pre-general campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Clark has had a previous matter before the board. (see above and below)

The board voted at its January 9, 2013 meeting to issue Mr. Clark a show cause notice.

Mr. Clark filed the required report and submitted a sworn statement for the board's consideration.

On motion by Pitt, seconded by McNeece, the board voted unanimously to take no further action in this matter.

13-17 Quenston Coleman, for failure to file a 2012 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Coleman has had previous matters before the board.

The board voted at its January 9, 2013 meeting to issue Mr. Coleman a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed.

On motion by McNeece, seconded by Lester, the board voted unanimously to assess Mr. Coleman a \$10,000 civil penalty.

13-18 Woody Degan, for failure to file a 2012 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Degan has had no previous matters before the board.

The board voted at its January 9, 2013 meeting to issue Mr. Degan a show cause notice.

Director Rawlins informed the board that the report has been filed but that there has been no response to the show cause notice.

On motion by McNeece, seconded by Lester, the board voted unanimously to assess Mr. Degan a \$10,000 civil penalty.

13-19 Ryan Harring, for failure to file a 2012 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Harring has had no previous matters before the board.

The board voted at its January 9, 2013 meeting to issue Mr. Harring a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed.

On motion by Pitt, seconded by McNeece, the board voted unanimously to assess Mr. Harring a \$10,000 civil penalty.

13-21 Leah Kirk, for failure to file a 2012 pre-general campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Kirk has had no previous matters before the board.

The board voted at its January 9, 2013 meeting to issue Ms. Kirk a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed.

On motion by Pitt, seconded by McNeece, the board voted unanimously to assess Ms. Kirk a \$10,000 civil penalty.

13-20 Anita Tipton, for failure to file a 2012 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Tipton has had previous matters before the board.

The board voted at its January 9, 2013 meeting to issue Ms. Tipton a show cause notice.

Director Rawlins informed the board that the report has been filed but that there has been no response to the show cause notice.

On motion by Pitt, seconded by McNeece, the board voted unanimously to assess Ms. Tipton a \$10,000 civil penalty.

13-23 Ron Smith, for failure to file a 2012 3rd quarter campaign financial disclosure report with the Sullivan County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Smith has had no previous matters before the board.

The board voted at its January 9, 2013 meeting to issue Mr. Smith a show cause notice.

Mr. Smith filed the required report and submitted a statement for the board's consideration.

On motion by McNeece, seconded by Pitt, the board voted unanimously to take no further action in this matter.

13-13 McCall PAC, for failure to timely file a 2012 3rd quarter campaign financial disclosure report. Class two (2), 31 days late, maximum ten thousand (\$10,000) civil penalty. The organization has had a previous matter before the board. (see below)

The board voted at its January 9, 2013 meeting to issue the organization a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice.

On motion by Lester, seconded by McNeece, the board voted unanimously to assess the organization a \$10,000 civil penalty.

13-14 McCall PAC, for failure to timely file a 2012 pre-general campaign financial disclosure report. Class one (1), ten days late, maximum two hundred fifty (\$250) civil penalty. The organization has had a previous matter before the board. (see above)

The board voted at its January 9, 2013 meeting to issue the organization a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice.

On motion by Lester, seconded by McNeece, the board voted unanimously to assess the organization a \$250 civil penalty.

13-07 Washington County Republican Executive Committee, for failure to file a 2012 pre-general campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had a previous matter before the board.

The board voted at its January 9, 2013 meeting to issue the organization a show cause notice.

Director Rawlins informed the board that the report has been filed but that there has been no response to the show cause notice.

On motion by Lester, seconded by Pitt, the board voted unanimously to assess the organization a \$10,000 civil penalty.

Cases Considered for Issuance of Show Cause Notice

Michael Clark, for failure to timely file a 2012 4th quarter campaign financial disclosure report. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. Mr. Clark has had previous matters before the board. (see above)

On motion by Pitt, seconded by McNeece, the board voted unanimously to take no action.

John Crandall, for failure to timely file a 2012 4th quarter campaign financial disclosure report. Class one (1), five days late, maximum one hundred twenty-five (\$125) civil penalty. Mr. Crandall has had a previous matter before the board.

On motion by Pitt, seconded by McNeece, the board voted unanimously to take no action.

Duane Dominy, for failure to timely file a 2012 year-end supplemental campaign financial disclosure report. Class one (1), three days late, maximum seventy-five (\$75) civil penalty. Mr. Dominy has had a previous matter before the board.

On motion by Pitt, seconded by McNeece, the board voted unanimously to take no action.

Jonathan Gladden, for failure to timely file a 2012 4th quarter campaign financial disclosure report. Class one (1), five days late, maximum one hundred twenty-five (\$125) civil penalty. Mr. Gladden has had no previous matters before the board.

On motion by Pitt, seconded by McNeece, the board voted unanimously to take no action.

James Harrell, for failure to timely file a 2012 4th quarter campaign financial disclosure report. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. Mr. Harrell has had no previous matters before the board.

On motion by Pitt, seconded by McNeece, the board voted unanimously to take no action.

Ashley Jordan, for failure to timely file a 2012 year-end supplemental campaign financial disclosure report. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. Mr. Jordan has had no previous matters before the board.

On motion by Pitt, seconded by McNeece, the board voted unanimously to take no action.

Howard Gentry, for failure to timely file a 2012 3rd quarter campaign financial disclosure report with the Davidson County Election Commission. Class one (1), nine days late, maximum two hundred twenty-five (\$225) civil penalty. Mr. Gentry has had no previous matters before the board.

On motion by Pitt, seconded by Lester, the board voted unanimously to take no action.

Bob Rial, for failure to timely file a 2012 year-end supplemental campaign financial disclosure report with the Dickson County Election Commission. Class one (1), nine days late, maximum two hundred twenty-five (\$225) civil penalty. Mr. Rial has had no previous matters before the board.

On motion by Pitt, seconded by Lester, the board voted unanimously to take no action.

American Party, for failure to timely file a 2012 4th quarter campaign financial disclosure report. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. The organization has had no previous matters before the board.

On motion by Pitt, seconded by McNeece, the board voted unanimously to take no action.

Bradley County Democratic Party, for failure to timely file a 2012 4th quarter campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. The organization has had no previous matters before the board.

On motion by Pitt, seconded by McNeece, the board voted unanimously to take no action.

Ocoee Region Builders Association, for failure to timely file a 2012 pre-general campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. The organization has had a previous matter before the board.

On motion by Pitt, seconded by McNeece, the board voted unanimously to take no action.

Sworn Complaint

Director Rawlins provided the board with a sworn complaint filed with the Registry from Tim O'Brien against Strong Schools at the Registry's January 9, 2013 meeting.

The board voted at its January 9, 2013 meeting to defer any action in this matter until the next regularly scheduled meeting and requested that Registry staff obtain further information about the group from the Sumner County Election Commission.

Director Rawlins informed the board that the group has not made any campaign contributions to candidates.

On motion by Pitt, seconded by McNeece, the board voted unanimously to dismiss the complaint.

Audit Review

Lois DeBerry

On motion by Lester, seconded by Pitt, the board voted unanimously to approve Rep. DeBerry's 2012 campaign finance audit with the included findings.

On motion by Pitt, seconded by McNeece, the board voted unanimously to issue a show cause notice for Findings 1, 2, 4, 5, 6 and 7.

Kent Calfee

On motion by Lester, seconded by Pitt, the board voted unanimously to approve Mr. Calfee's 2012 2nd quarter campaign finance audit with the included findings.

On motion by McNeece, seconded by Lester, the board voted unanimously to take no action in this matter.

Richard Garvin

On motion by Lester, seconded by Pitt, the board voted unanimously to approve Mr. Garvin's 2012 2nd quarter campaign finance audit with the included findings.

On motion by Lester, seconded by Pitt, the board voted unanimously to issue a show cause notice for unsupported campaign contributions.

Darren Jernigan

On motion by Lester, seconded by Pitt, the board voted unanimously to approve Rep. Jernigan's 2012 2nd quarter campaign finance audit with the included findings.

On motion by Pitt, seconded by Lester, the board voted unanimously to take no action in this matter.

Dennis Kiser

On motion by Lester, seconded by Pitt, the board voted unanimously to approve Mr. Kiser's 2012 pre-primary campaign finance audit with the included findings.

On motion by Pitt, seconded by McNeece, the board voted unanimously to take no action in this matter.

Doug Overbey

On motion by Lester, seconded by Pitt, the board voted unanimously to approve Sen. Overbey's 2012 3rd quarter campaign finance audit with the included findings.

On motion by Lester, seconded by Pitt, the board voted unanimously to take no action in this matter.

PAC to PAC Cross Indexing Report

Director Rawlins provided the board with a cross indexing report which compares contributions and expenditures between PACs for the 2012 1st quarter, 2nd quarter, pre-primary and 3rd quarter reporting periods.

The board voted at its January 9, 2013 to take no action except for the Shelby County Republican Party PAC, in which they deferred action until the next regularly scheduled meeting to allow them an opportunity to report the missing contributions.

Director Rawlins informed the board that the Shelby County Republican Party PAC has amended their campaign financial disclosure reports to include the missing contributions.

On motion by Pitt, seconded by McNeece, the board voted unanimously to take no action.

Executive Director's Report

- Director Rawlins provided the 2012 annual report to the board for approval.
- Director Rawlins provided the board with a list containing the names of the legislative campaigns that will be audited. The list contains candidates whose campaigns will receive full audits as required in T.C.A. §2-10-212(2) and candidates whose campaigns are required to have their unitemized contributions audited for a specific reporting period pursuant to T.C.A. §2-10-212(i). The list is attached to the minutes as reference.
- Director Rawlins discussed with the board 2012 Legislation that would affect the Registry.

Other Business

Without objection, the board voted unanimously to schedule the next Registry meeting for June 12, 2013.

On motion by Heim, seconded by Lester, the board voted unanimously to adjourn the meeting until the next regularly scheduled meeting.